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RCE/1614
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CERTIFICATE OF MAILING

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"Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231"

on July 12, 2004

Gerard J. McGowan, Jr.
Reg. No. 29,412
Attorney for Applicant(s)

7/12/04
Date of Signature

O I P E
JUL 15 2004
PATENT & TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(for Subsection (b) of 35 U.S.C § 132, effective May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995))

Attorney Docket No.: F7589(V)
Applicant: Bodor et al.
Serial No.: 10/072,580
Filed: February 8, 2002
For: Food Product Suitable for Reducing Low Density Lipoprotein in Cholesterol Levels
UNUS No.: 01-0366-UNI

Group Art Unit: 1614
Examiner: P. Spivack

To: Commissioner for Patents
Box: Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

APPLICATION ELEMENTS

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- iii. ☐ Other
-
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment/Reply
- ii. ☐ Affidavits(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- a. ☐ PTO-1449
- b. ☐ Copies of IDS citations
- iv. ☐ Other

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RCE.#

Revised 07/17/00

2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required).
- b. ☐ Other _____.

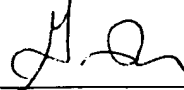
3. **Fees** (The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.)

- a. ☒ The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-1155.
- i. ☒ \$770.00 (RCE fee required under 37 C.F.R. § 1.17(e))
- ii. ☒ Extension of time fee (37 C.F.R. § 1.136 and 1.17)
- iii. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required to our Deposit Account No. 12-1155.

4. **Correspondence Address:**

CUSTOMER NUMBER: 000201

Respectfully submitted,



Gerard J. McGowan
Attorney of Record
Reg. #29,412

GJM/pod
(201) 840-2297

PATENT

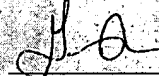
UNUS #01-0366-UNI
CASE #F7589(V)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For: Food Product Suitable for Reducing Low Density Lipoprotein Cholesterol Levels

Group: 1614
Examiner: P. Spivack
Edgewater, New Jersey 07020

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the office action mailed April 9, 2004, a two month extension of time for response to which is being requested, please amend the application, as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.